



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,401	07/27/2006	Toyoyasu Tadokoro	050070-0114	7173

20277 7590 01/23/2009  
MCDERMOTT WILL & EMERY LLP  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

EXAMINER
----------

HINES, ANNE M

ART UNIT	PAPER NUMBER
----------	--------------

2879

MAIL DATE	DELIVERY MODE
-----------	---------------

01/23/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/587,401	TADOKORO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	ANNE M. HINES	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 1-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The references lined through on the information disclosure statement filed July 27, 2006 have not been considered because a translation has not been provided.

### ***Specification***

The disclosure is objected to because of the following informalities: The disclosure is objected to for typographical errors; at least Page 3, line 6 of Applicant's specification, the word 'quest' appears to be a typographical error intended to read 'guest'.

Appropriate correction is required.

### ***Claim Objections***

Claims 1-5 are objected to because of the following informalities: In claim 1, the word 'quest' appears to be a typographical error, it appears that 'guest' is intended.

Appropriate correction is required.

Claims 2-5 are objected to based on their dependence from claim 1.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2879

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US 6447934) in view of Hamada et al. (US 6387546) (of record).

Regarding claim 1, Suzuki teaches an organic EL panel comprising a light-transmitting supporting substrate having formed thereon an organic EL device comprising an organic layer having at least a luminescent layer (Fig. 1, 4; Column 4, lines 46-64), sandwiched with a pair of electrodes (Fig. 1, 2 & 6; Column 4, lines 46-64) characterized in that the luminescent layer comprises a host material of a transport material having added thereto a fluorescent material as a guest material (Column 5, lines 1-34). Suzuki fails to teach wherein a transport material added to the host as a guest material.

In the same field of endeavor, Hamada teaches an OLED device with a layer including a host transport material with another transport material added to the host as a guest material in order to provide a layer with superior film stability and transport properties (Column 3, lines 58-67; Column 4, lines 32-48).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Suzuki by having a transport material added to the host as a guest material in order to provide a layer with superior film stability and transport properties, As disclosed by Hamada.

Regarding claim 2, Hamada further teaches wherein the transport material doped into the is rubrene (Column 22, lines 43-54), which characteristically has a mobility of

Art Unit: 2879

holes or electrons of  $10^{-4} \text{ cm}^2/\text{V}\cdot\text{s}$  or more (See for example Fig. 22 of Chen et al. in US 2004/0247937 as evidence of rubrenes characteristic mobility properties). Motivation to combine is the same as for claim 1.

Regarding claim 3, Suzuki further discloses wherein the ionization potential of the fluorescent material is a value lower by 0.1 eV or more than the ionization of the host material (Column 8, line 62 to Column 9, line 12).

Regarding claims 4 and 5, Suzuki further discloses wherein the invention of claim 1 is characterized in that the luminescent layer comprises a host material having a hole transport property and a host material having an electron transport property, having added thereto the fluorescent material as a guest material (Fig. 1, 4; Column 4, lines 46-64). Motivation to have transport materials additionally added as guest materials as in Hamada is the same as for claim 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne M. Hines whose telephone number is (571) 272-2285. The examiner can normally be reached on Monday through Friday from 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Anne M Hines/  
Patent Examiner  
Art Unit 2879

/NIMESHKUMAR D. PATEL/  
Supervisory Patent Examiner, Art Unit 2879